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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/774,578	02/09/2004	James J. Ziarno	GCSD-1503 (51356)	9764
27975	7590	04/19/2005	EXAMINER	
ALLEN, DYER, DOPPELT, MILBRATH & GILCHRIST P.A. 1401 CITRUS CENTER 255 SOUTH ORANGE AVENUE P.O. BOX 3791 ORLANDO, FL 32802-3791			SWARTHOUT, BRENT	
			ART UNIT	PAPER NUMBER
			2636	

DATE MAILED: 04/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/774,578

**Applicant(s)**

ZIARNO, JAMES J.

**Examiner**

Brent A Swarthout

**Art Unit**

2636

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

### A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-54 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9, 12-20, 23-25, 28-30, 33-41 and 44-52 is/are rejected.
- 7) ☒ Claim(s) 10, 11, 21, 22, 26, 27, 31, 32, 42, 43, 53 and 54 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2-9-04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

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1. Claims 44-46 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claims 44-46 "and/or" is indefinite.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

a. Claims 1,2,9,12,13,20,23,24,28,29,33,34,41,44,45 and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wright et al. (734) in view of Monroe.

Wright discloses desirability of collecting engine data and for transmitting the engine data to a receiver (col.3, lines 5-12), except for specifically stating that the transmitter is associated specifically with the engine.

Monroe teaches desirability of having engine data sensed by sensors and having this data transmitted by transmitter 116 associated with the engine to a receiver 153 located elsewhere on the aircraft.

It would have been obvious to use a transmitter at an engine location as suggested by Monroe, in conjunction with an engine data transmission system as disclosed by Wright, in order to reduce the amount of wiring necessary on an aircraft, to reduce weight and complexity.

Regarding claim 2, Wright teaches use of spread spectrum transmitter over wideband (col. 4, line 51).

Regarding claim 9, Wright teaches use of FADEC associated with sensors (col.2, lines 41-42).

3. Claims 3,14,25,30,35 and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wright et al. (734) in view of Monroe and Jha.

Jha discloses desirability of using a conformal antenna for transmitting from an aircraft.

It would have been obvious to use a conformal antenna as suggested by Jha in conjunction with a transmitting system as disclosed by Wright and Monroe in order to provide greater durability in an environment subject to high speeds.

4. Claims 4-8,15-19, 36-40 and 47-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wright et al. (734) in view of Monroe and Jiang.

Jiang discloses a system for transmitting aircraft engine data to a receiver on the ground, and then transferring the data via phone line or internet to processors at data center (Fig. 1).

It would have been obvious to transfer data on ground to remote processors as suggested by Jiang in a system as set forth by the combined teachings of Wright and Monroe, in order to allow received data to be shared by any number of remotely located individuals who might need access to the data.

Regarding claims 6-8, choosing to use well-known PSTN lines, cellular network or wireless transmission means would have been obvious, in view of the

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teachings by Jiang to use phone communications, cellular being advantageous in order to reduce amount of wiring.

5. Claims 10,11,21,22,26,27,31,32,42,43,53 and 54 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Korkosz, Baker, Murray and Chakravarty disclose aircraft data transmission systems.

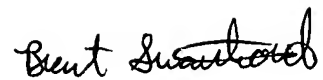
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brent A Swarthout whose telephone number is 571-272-2979. The examiner can normally be reached on M-F from 6:30 to 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Hofsass, can be reached on 571-272-2981. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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A handwritten signature in cursive script, reading "Brent Swarthout".

Brent A Swarthout  
Examiner  
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**BRENT A. SWARTHOUT  
PRIMARY EXAMINER**